

WITNESS:

Date: March 13, 2017

American Center for Excellence v COD

Debbie Tyrrell



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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AMERICAN CENTER FOR)	
EXCELLENCE IN SURGICAL)	
ASSISTING, INC.,)	
)	
Plaintiff,)	Case No.
)	1:15-CV-07290
-vs-)	
)	
COMMUNITY COLLEGE DISTRICT)	
502, et al.,)	
)	
Defendants.)	

The deposition of THOMAS CAMERON, called by the Plaintiff for examination, pursuant to notice and pursuant to the Rules of Civil Procedure for the United State District Courts pertaining to the taking of depositions for the purpose of discovery, taken before DEBBIE TYRRELL, a Certified Shorthand Reporter and a Notary Public within and for the County of DuPage and State of Illinois, at 2777 Finley Road, Suite 12, Downers Grove, Illinois, on March 13, 2017, at the hour of 10:30 a.m.

1 APPEARANCES:

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6 BY: MR. MICHAEL J. DAVIS

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11 BY: MR. MICHAEL T. ROCHE

12 on behalf of the defendants.

13 * * * * *

I-N-D-E-X

WITNESS:

THOMAS CAMERON

PAGE:

Examination by Mr. Davis 4

Examination by Mr. Roche 65

EXHIBITS:

PAGE:

Deposition Exhibit U 57

Deposition Exhibit V 61

Deposition Exhibit W 63

(Exhibits were retained by Mr. Davis.)

1 (Witness sworn.)

2 MR. DAVIS: This is the deposition of
3 Thomas Cameron taken in the case of ACE versus COD,
4 et al.

5 THOMAS CAMERON,
6 a witness herein, having been first duly sworn, was
7 examined and testified as follows:

8 EXAMINATION

9 BY MR. DAVIS:

10 Q So we discussed it, but you are referred
11 to as Dean Cameron, correct?

12 A Yes.

13 Q And just for the record, state your name
14 for us.

15 A Thomas Cameron.

16 Q Where do you live?

17 A 210-B Kellogg Place, Wheaton, Illinois
18 60187. But I am moving, moving tonight. This
19 afternoon.

20 Q Are you currently employed?

21 A I retired on March 3rd.

22 Q And where did you retire from?

23 A College of DuPage.

24 Q What was your full title?

1 **A Dean of Health and Sciences.**

2 Q Have you ever had your deposition taken
3 before?

4 **A No.**

5 Q And did you discuss the deposition with
6 an attorney?

7 **A Yes.**

8 Q So you understand that if there is a
9 question that I ask that you don't understand you
10 ask for clarification. Further, if you are
11 responding to any questions in the deposition, you
12 have to respond verbally and not shake your head or
13 uh-huh or anything like that. Got it?

14 **A Yes.**

15 Q And is there any reason why you feel you
16 can not proceed with this deposition today?

17 **A No.**

18 Q Are you under any medication that may
19 interfere with your ability to testify?

20 **A I don't think so. I am on medication but**
21 **I don't think it will --**

22 Q None that would affect your ability to
23 testify?

24 **A Right.**

1 Q Just a couple of preliminary questions,
2 these are sort of standard stuff in depositions
3 since you haven't had your deposition taken before.
4 Are you married?

5 A **No.**

6 Q Do you have any children?

7 A **Yes.**

8 Q How many children?

9 A **One.**

10 Q And give me your educational background.

11 A **I have a Bachelor's Degree from Colorado**
12 **State University. A Master's Degree from Northern**
13 **Colorado University. Actually, I have a two-year**
14 **degree before all that, too. I have a two-year**
15 **degree from Westchester Community College in New**
16 **York.**

17 Q Okay. And so the Master's Degree is the
18 highest degree that you have?

19 A **Mmm-hmm.**

20 Q So give me a little bit of your job
21 history.

22 A **My job history. I was a Professor back**
23 **on the East Coast for I guess close to 17 years and**
24 **then I became -- I left there.**

1 Q Where?

2 A I was at two places. Pace University and
3 Mercy College. Both in New York. And I left there
4 in 1995 to become a Dean at South Texas Community
5 College. And there I was the Dean of -- geez, I
6 forgot now. Social and Behavioral Sciences. I was
7 the Dean there from 1995 to 2004. And then from
8 there I came to College of Du Page to become Dean
9 of -- then it was Dean of Health, Social and
10 Behavioral Sciences and then it became Health and
11 Sciences and that was from 2004 until 2017, March
12 3rd.

13 Q When did it become Dean of Health and
14 Sciences? When did that happen?

15 A I think that was -- I am taking the best
16 guess I can. I think it was maybe --

17 MR. ROCHE: If you don't know, you don't
18 know.

19 THE WITNESS: I don't know. It's been
20 probably the last four years or so.

21 BY MR. DAVIS:

22 Q Was that the result of like a splitting
23 off of the Behavioral part from the Health and
24 Sciences?

1 **A No. It was combining two divisions into**
2 **one.**

3 Q I'm sorry. What was the Master's Degree
4 in?

5 **A Psychology, Counseling and Guidance.**

6 Q And your Bachelor's?

7 **A Bachelor's was in Psychology.**

8 Q So could you describe your
9 responsibilities while you were the Dean of Health
10 and Sciences?

11 **A My responsibilities are -- I would say,**
12 **overall responsible for the faculty, new programs**
13 **and really running the entire division. So it was**
14 **personnel as well as financial. Ultimately I am**
15 **responsible for all.**

16 Q Were there any other specific
17 responsibilities? So you have mentioned faculty so
18 that meant that you hired and fired faculty?

19 **A Mmm-hmm.**

20 Q New programs. All new programs had to be
21 done under your approval? You had to approve all
22 new programs?

23 **A I didn't have to approve -- that is**
24 **faculty. I just had to make sure that the**

1 paperwork was done correctly. Then we have to
2 submit it to -- it actually goes through a lengthy
3 process. It has to go through our Division
4 Curriculum Committee. It has to go through the
5 College Curriculum Committee. Then the paperwork,
6 which is lengthy, has to be submitted to ICCB,
7 which is the Illinois Community College Board. And
8 then our Board of Trustees has to approve the
9 program. That is the way -- actually, the Board of
10 Trustees approves it first and then ICCB. That is
11 the entire process for any program developed at the
12 College of DuPage.

13 Q Did the personnel include all personnel,
14 other than faculty members?

15 A I am not sure I understand the question.

16 Q So there's faculty members and then there
17 is secretaries and janitors and stuff like.

18 A Right.

19 Q You had hire and fire authority over
20 anybody that went to work in the Division of Health
21 and Sciences?

22 A To a degree. I recommend hiring.
23 Everybody that gets hired -- and I am not sure
24 about fired, honestly. But whoever gets hired has

1 to be approved by the Board of Trustees. I
2 recommend those but I don't really make the final
3 decision. It is the Board of Trustees.

4 Q To hire everybody?

5 A Mmm-hmm. I am not really sure about
6 classified. Certainly faculty.

7 Q What about like secretaries?

8 A They still have to be approved. They are
9 on -- they are always on the agenda. I have never
10 seen them say no but they could I guess. They are
11 on the agenda.

12 Q Are you the person that recommends to the
13 Board of Trustees whether people get hired and
14 fired?

15 A I have to prepare all the paperwork so I
16 have to interview them.

17 Q And in terms of financial, do you have a
18 Budget for the -- for this -- we'll just call it
19 Health and Sciences; the Division.

20 A Okay.

21 Q So you have a Budget for the Division?

22 A Yes.

23 Q Do you have annual Budget reviews or --

24 MR. ROCHE: Is the question do you have

1 --

2 BY MR. DAVIS:

3 Q Do you have annual Budget reviews?

4 A **Yes, we do.**

5 Q Do you have any other periodic Budget
6 reviews other than annual?

7 A **Yeah. I think -- honestly, I think it is**
8 **quarterly and that just probably started I would**
9 **say a few years ago with this new board.**

10 What they do is they have someone
11 assigned to the Division, who monitors your budget.

12 Let's say I had \$12,000 in my Budget.
13 They would expect you to spend \$1,000 a month.
14 They want to see that you are spending it down.
15 Otherwise you're not using it properly as far as
16 they are concerned. They notify you of that all
17 the time.

18 Q When you have an item that you want to
19 add to the Budget --

20 A **Mmm hmm.**

21 Q Since you have these -- well, let's go
22 back to 2013.

23 A **Okay.**

24 Q And 2014. Was this before the quarterly

1 reviews were implemented?

2 MR. ROCHE: Quarterly financial reviews?

3 MR. DAVIS: Quarterly financial reviews,
4 yeah.

5 MR. ROCHE: Which year, 2013?

6 BY MR. DAVIS:

7 Q Let's start in 2013.

8 A I am not certain when they came out.

9 Q When did the new board implement the new
10 procedures?

11 A I would say probably just about three
12 years ago. Each year they have gotten tighter and
13 tighter about monitoring budgets.

14 Q So in 2014 do you recall if that was the
15 year that they implemented any new Budget
16 procedures?

17 A I would think -- and I am not 100 percent
18 certain. I would think at that time it certainly
19 was being more carefully looked at in 2014. It was
20 looked at before, but more carefully looked at in
21 2014.

22 MR. ROCHE: Mr. Cameron, the question was
23 do you recall if in 2014 --

24 THE WITNESS: No, I do not recall.

1 MR. ROCHE: Just focus on the question.
2 The question was do you recall.

3 THE WITNESS: Okay.

4 BY MR. DAVIS:

5 Q Were you in charge of putting together
6 the numbers for all of the programs in your
7 Division that went into the Budget?

8 A No.

9 Q Who did that?

10 A That was Associate Deans in each area.
11 And currently -- well, before March 13th I had four
12 Associate Deans, but at one time I had five.

13 Q And --

14 A So they develop their own Budgets.

15 Q And then would they submit those Budgets
16 to you and you would review them and then submit
17 them to the Board?

18 A They submit them to me and then it goes
19 to a committee of the Deans, which is -- the
20 committee is called Vice-President of Academic
21 Affairs. Then we decide if the Budget goes through
22 or not.

23 Q Do you ever have any input -- strike
24 that. Let me ask you. Do you have any input into

1 the individual Associate Deans budgetary numbers
2 that they come up with?

3 A Not really.

4 Q You just sort of leave it to them?

5 A Mmm-hmm.

6 Q Because are they the ones that really
7 know the most about their programs?

8 A Yes.

9 Q Do you interact with them in terms of
10 constraints that you might have for monies that are
11 allocated to your Division?

12 A The constraints, if any, might be, to the
13 best of my knowledge, for Capital Budgets.
14 Everybody submits a Capital Budget every year.
15 That is for equipment and stuff like that. And
16 often -- and this comes in from all the divisions
17 at the school which I am just one of. They come in
18 most always over budget. Then it goes back to that
19 VPAA again and then we always have to then withdraw
20 some of the items on there and we have to
21 prioritize those that you really need for the
22 program. Those that you want or those that can be
23 purchased maybe three, four years down the road.

24 Q Do you then go back after you receive --

1 after you submit the Budget and receive budget cuts
2 for -- let's say budget cuts. Do you then go back
3 to the Associate Deans and say you have to trim the
4 Budget or this isn't acceptable or something like
5 that?

6 **A I ask them to go back and prioritize**
7 **carefully again. And sometimes they leave exactly**
8 **as submitted and sometimes they go back and make a**
9 **Priority 1 or a Priority 2, which means it is not**
10 **going to be looked at this year.**

11 Q Okay. What if they just submit the same
12 Budget to you?

13 **A That has occurred.**

14 MR. ROCHE: Hold on. Is this a
15 hypothetical or has it ever happened?

16 THE WITNESS: It has.

17 MR. ROCHE: Okay.

18 THE WITNESS: It has happened and
19 sometimes it goes through and sometimes it doesn't.
20 Then it goes back to that VPAA again and they make
21 the decision.

22 BY MR. DAVIS:

23 Q Is an Associate Dean who doesn't make
24 budget adjustments considered to be an

1 uncooperative Associate Dean?

2 **A No.**

3 Q When is the Budget submitted?

4 **A Typically in February every year. That**
5 **is for the Capital Budget.**

6 Q And what is the other part of the Budget
7 besides the Capital Budget?

8 **A Operating Budget.**

9 Q Does that take into consideration
10 salaries and --

11 **A Yes.**

12 Q -- things like that? All right. And
13 it's submitted in February?

14 **A Capital Budget.**

15 Q That Capital Budget is. When is the
16 Operating Budget submitted?

17 **A I think, to the best of my knowledge, it**
18 **is March or April because I know they are working**
19 **on it right now.**

20 Q And then when is the final Budget
21 approved?

22 **A That has got to be approved by the Board**
23 **of Trustees and I think -- and that is by law I**
24 **think that they have to approve it by a certain**

1 time. I am not sure what that date is but I would
2 say probably some time in April or May. I am not
3 certain.

4 Q When it is approved in -- let's just say
5 it is April or May, when it is approved, what time
6 period is it approved for?

7 A July 1st until June 30th.

8 Q And that is for lack of a better term the
9 fiscal year --

10 A Right.

11 Q -- for College of DuPage? Okay. So what
12 was the position while you were there of Karen
13 Solt?

14 A She was the Associate Dean of Health and
15 Biological Sciences.

16 Q And what were her --

17 A Now let me just qualify.

18 Q Okay.

19 A Remember I told you at one time -- Karen
20 Solt has been there the same length of time as me,
21 if not a little bit longer. When we first started
22 I became the Dean of Health, Social and Behavioral
23 Sciences.

24 Remember when I mentioned they merged?

1 **At that point when they merged, Karen became the --**
2 **and she was the Associate Dean of Health Programs**
3 **originally. Then when they merged she became the**
4 **Associate Dean of Health and Biological Sciences.**

5 Q Do you recall when that was?

6 A **No.**

7 Q When she changed, did it change her
8 responsibilities?

9 A **Not for Health Programs but for the**
10 **Biological Sciences it did because they were**
11 **transfer programs. The Health Programs are usually**
12 **career programs.**

13 Q Was the Surgical Tech Program a Health Or
14 Biological Program?

15 A **Health Program.**

16 Q So she was in charge of that all along?

17 A **From the very beginning. From the day I**
18 **arrived.**

19 Q So you have described how -- let's talk
20 about Karen specifically. So she reports to you,
21 correct?

22 A **Yes.**

23 Q Could you describe sort of the scope of
24 how she reports to you?

1 MR. ROCHE: Just to point out by way of
2 clarification, I think we need to use the past
3 tense because Mr. Cameron and actually Ms. Solt are
4 no longer COD employees.

5 THE WITNESS: She retired the same day I
6 did.

7 BY MR. DAVIS:

8 Q What an incredible coincidence.

9 So you talked about her function in
10 relation to Budget.

11 A Mmm-hmm.

12 Q What were her other reporting functions
13 to you? Like what would she report on?

14 A Well, as an Associate Dean at College of
15 DuPage, she had to hire all of the adjunct faculty.
16 She had to give all of the adjunct faculty their
17 assignments and she was also in charge of some
18 personnel that report to her. Like Administrative
19 Assistants and what we call Specialists. All of
20 that eventually reports to me, but she is in charge
21 of the day-to-day operation of it.

22 Q When you say it eventually reports to
23 you, if she wants to hire somebody, then she puts
24 it in her Budget and that Budget goes to you?

1 **A Mmm-hmm.**

2 **Q And it goes to --**

3 **A Yes.**

4 **Q And that is the process?**

5 **A Yes.**

6 **Q What about new programs?**

7 **A New programs are usually the**
8 **responsibility of the faculty.**

9 **Q Okay. If there is a new program, does**
10 **the new program have to be approved by the**
11 **Associate Dean?**

12 **A It doesn't have to be approved, but he or**
13 **she would have to work with the faculty to see if**
14 **there is any faculty on staff that have that**
15 **expertise.**

16 **Q I see. So in regard to new programs that**
17 **would really be the province of the faculty working**
18 **with the Associate Dean, but not you?**

19 **A Tangentially they work with me. What I**
20 **do and have always done is once we know a new**
21 **program is coming in, I sort of layout the**
22 **timeframe of when it has to be done.**

23 **So, even though faculty are off in the**
24 **summer, they can work on the program if they want**

1 but I can't require it because they aren't there.
2 But if they want to get these programs there, we
3 can.

4 Certain things they do in the summer and
5 then there are fall activities that they have to do
6 and then I always want to have it go to the last
7 board meeting in December for approval by the
8 Board. So it is a pretty length process.

9 The reason that we do that is because we
10 want the programs to start in the fall so students
11 can get in and get through the program.

12 Q Okay. So the faculty doesn't get paid
13 during the summer?

14 A They get paid if they teach. They don't
15 get paid if they are developing programs because
16 it's part of their responsibilities.

17 Q Just by way of information and background
18 is the college on a trimester or semester?

19 A Semester.

20 Q It is a semester system. So the summer
21 would really be sort of free time?

22 A Extra work for extra pay.

23 Q Extra work for extra pay. Got it. Okay.

24 A But that is just for teaching.

1 Q Right. I would assume that for students
2 that the student population also goes down during
3 this time?

4 **A It does.**

5 MR. ROCHE: Mr. Cameron, wait until
6 there's an actual question pending before you
7 answer.

8 BY MR. DAVIS:

9 Q And so in regard to the position of Karen
10 Cabai, what was her position?

11 **A Kathy Cabai.**

12 Q Kathy Cabai. Sorry.

13 **A Kathy Cabai is a full-time faculty member**
14 **and also the coordinator of the program.**

15 Q She doesn't report to you? She reports
16 to the Associate Dean, correct?

17 **A She reports -- her immediate supervisor**
18 **is the Associate Dean Karen Solt, right.**

19 MR. ROCHE: Was.

20 THE WITNESS: Was. Right.

21 BY MR. DAVIS:

22 Q Was. So her immediate supervisor, but --
23 so did Kathy Cabai report to you?

24 **A Ultimately they all reported to me, but**

1 **they need to go through the Associate Dean.**

2 Q Do you have any direct contact,
3 responsibility or accountability with a full-time
4 faculty member?

5 **A Very little.**

6 Q So your function is really primary
7 budgetary and relating between the Associate Deans
8 and the Board, correct?

9 **A Correct.**

10 Q And in regard to any decisions that are
11 to be made in regard to new programs, those
12 decisions would be between the faculty and the
13 Associate Dean?

14 **A Yes.**

15 Q And is the only impact on you whether
16 they fit into the Budget or not?

17 **A I wouldn't say that is the only one**
18 **because it depends are the programs viable. If**
19 **they are not viable or we don't have staff to cover**
20 **it, we couldn't develop them.**

21 Q Right. But you don't determine the
22 viability of the programs?

23 **A That is actually determined in the**
24 **paperwork that we submit to ICCB.**

1 Q So, if there was a new program that you
2 didn't -- so when a new program comes to you, it
3 has gone through this process. The process you
4 described was -- so Division Curriculum, College
5 Curriculum, ICCB and then the Board of Trustees?

6 A **The Board of Trustee first and then ICCB.**

7 Q Describe to me what Division Curriculum
8 is.

9 A **Division Curriculum is made up entirely**
10 **of faculty. In fact, they own the Curriculum.**

11 Q They own the Curriculum?

12 A **Mmm-hmm.**

13 Q Would you explain take term "own"?

14 A **I would say, for instance, we're not**
15 **allowed to sit on there at all as administrators.**
16 **No administrator at the school. It is determined**
17 **by faculty alone.**

18 **If people want to go through a course**
19 **deactivation or a new program or a change of**
20 **curriculum, change of title, it has to go through**
21 **faculty members. They all vote on it.**

22 Q Is that a binding vote?

23 A **By binding you mean?**

24 Q If the faculty votes no on a program,

1 that program doesn't move forward, correct?

2 **A That is correct.**

3 Q So it has to pass Division Curriculum and
4 then what is the next step?

5 **A The next step is then it goes to the**
6 **College Curriculum.**

7 Q Okay. And describe that process.

8 **A That is where anything that passes the**
9 **Division Curriculum then gets on the College**
10 **Curriculum Agenda and that is made up of faculty**
11 **and administrators.**

12 Q And when you say College Curriculum in a
13 particular -- for a particular program in your
14 division that would be Health and Sciences, right?

15 **A Health, Sciences or Social and Behavioral**
16 **Sciences.**

17 Q So that consists of faculty and
18 administrators. And when you say faculty and
19 administrators, are the Associate Deans considered
20 to be administrators only or are they also faculty?

21 **A They are administrators.**

22 Q So for your college you would take a new
23 course and you would bring it to the college -- to
24 the administrators and the faculty. Does it

1 include all of the faculty that were involved in
2 the Division Curriculum?

3 A No, I don't think -- To the best of my
4 knowledge, none of the Division Curriculum faculty
5 are on the College Curriculum Committee. It is a
6 lot of work these things. They wouldn't do both.

7 Q I get that sense. I have seen the
8 documentation so I am aware of that.

9 So who are the faculty that are on the
10 College Curriculum?

11 A I think they rotate. Each division has
12 to have representation on the College Curriculum
13 Committee. So it rotates. I think the length of
14 service is three years.

15 Q And then they vote on whether a new
16 program will be proposed or implemented?

17 A You know, I am not sure that they vote up
18 or down. What they point out are things that might
19 be a problem for ICCB. In other words, too many
20 credits in the program. Let's see, what else do
21 they point out? They get bogged down in verbs.
22 You have to say it in a certain way. That kind of
23 stuff. I think it's more of a cleaning up process.

24 But when people go there -- who goes

1 there is the faculty that developed the program or
2 the Associate Dean go. They basically go in front
3 of this group to answer any questions that they may
4 have.

5 Q Okay. And then does the College
6 Curriculum vote?

7 A They do.

8 MR. ROCHE: I thought that was already
9 answered that you don't know if they vote.

10 MR. DAVIS: He said the Division
11 Curriculum votes. I haven't gotten to the College
12 Curriculum.

13 THE WITNESS: I think I can answer that.

14 They don't necessarily vote a program
15 through, but they do ask for approval, if you know
16 what I mean. I am not quite sure what the approval
17 means. If they go around -- somebody nominates a
18 program to go through, there is a second and that
19 is it.

20 BY MR. DAVIS:

21 Q Okay. There's a vote by way of -- it
22 seems like there is interaction that goes on and
23 then once the interaction reaches a certain point
24 there is some sort of recommendation made by the

1 College Curriculum Committee?

2 **A I think that is a fair assumption, yes.**

3 Q What if they vote -- what if there is no
4 acclamation, do the faculty and Associate Dean just
5 go back to the boards and try and clean up what is
6 going on?

7 MR. ROCHE: Objection. What do you mean
8 by boards? I don't understand the question.

9 BY MR. DAVIS:

10 Q Do they go back to -- so the faculty and
11 Associate Dean has already been to the Division
12 Curriculum Committee?

13 **A That is true.**

14 Q And so now if there is no approval from
15 the College Curriculum, does the faculty member who
16 is proposing the new program and the Associate Dean
17 then go back and rework it or do they just drop it
18 at that point?

19 **A There has been occasions where they have**
20 **dropped it on occasion. Although never in my**
21 **division, honestly. They usually go back and**
22 **rework it.**

23 **They are usually minor tweaks. Like how**
24 **are you going to assess programs? They have to go**

1 back and clarify how they are going to assess
2 programs.

3 Then it would come back to the College
4 Curriculum again and it would go through and then
5 it goes through the Board of Trustees.

6 Q Okay. And then the next process is the
7 Board of Trustees, correct?

8 A Correct.

9 Q So how does the Board of Trustees then
10 function in relation to these recommendations for
11 new programs?

12 A So we have to write-up what is going to
13 be on their agenda. They tend to get it three or
14 four days in advance. What I require is the
15 faculty member that developed the program to be at
16 the Board of Trustees to answer any questions that
17 they may have. Often they don't. Often it is a
18 consent agenda. But if they do, the faculty member
19 is there to answer the questions.

20 Q The Associate Dean also attends?

21 A At times. Usually not. I am usually
22 there.

23 Q And is the primary consideration of the
24 Board budgetary or is it a wider array of things

1 that they consider?

2 MR. ROCHE: Objection. I mean, if you
3 know. I don't know how he can testify as to
4 whether -- what is in the minds of the Board of
5 Trustees.

6 BY MR. DAVIS:

7 Q Let me lay some foundation. Okay. So if
8 you have a new program, then you're going to want
9 to spend some money, correct?

10 A **It depends. Not all programs cost money.**

11 Q Let's presume that if you have a new
12 program and if you have a new program that you are
13 going to spend some money. It goes through the
14 Division Curriculum, the College Curriculum and
15 then it goes to the Board. Does the Board have to
16 approve the allocation of any new funds that a new
17 program would require?

18 A **No.**

19 Q Is that done at the College level in
20 terms of funds for new programs?

21 A **That is done in the budgeting process at**
22 **the beginning. So it would be my job -- remember I**
23 **talked about February and then maybe April or May.**
24 **It would be my job to anticipate what might be**

1 **coming up.**

2 Q And then you put it in your Budget and
3 submit it to the Board?

4 **A Correct.**

5 Q And then after the Board approves it, it
6 go to ICCB, correct?

7 **A For new programs, not Budgets.**

8 Q Right. For new programs. Okay.

9 So you understand who ACE is, right? ACE
10 is the American College --

11 **A I do understand, yes.**

12 Q We are going to call them ACE, all right?

13 **A All right.**

14 Q It is way easier. I wish we would have
15 put that in the caption rather than American
16 Surgical. Whatever it is.

17 So when was the -- well, let's do this.
18 I have a better idea. I am going to show you
19 what's been marked Exhibit B.

20 MR. ROCHE: Well, a couple of things. I
21 don't see any Bates numbers. Is this exhibit --
22 never mind. I was wondering if this was Exhibit B
23 to the Complaint.

24 MR. DAVIS: No, it is not.

1 MR. ROCHE: Maybe we keep those for Karen
2 and Kathy as long as I have -- I think that might
3 be the best way to go.

4 MR. DAVIS: Okay. So he has the witness'
5 copy and the witness will look at those copies, if
6 I am using the same exhibit, and you will have like
7 a master set.

8 MR. ROCHE: I will keep a master set for
9 myself and then we can have the witnesses examine
10 the documents.

11 MR. DAVIS: Okay.

12 BY MR. DAVIS:

13 Q This is an email dated November 21, 2013
14 and it was sent from Keith Bump to Karen Solt,
15 Katherine Cabai. And it is the College of DuPage
16 and their Consortium Agreement. Okay?

17 A Mmm-hmm.

18 Q I want you to turn to the second page.
19 It is the ACE Surgical Assisting Consortium
20 Proposal. Do you see that?

21 A Yes.

22 Q Have you ever seen this before?

23 A No.

24 Q Let's turn to Page 5 of the exhibit,

1 where it talks about benefits to the college. Did
2 you ever see benefits -- this detail of the
3 benefits to the college?

4 **A Did I see it?**

5 **Q Yes.**

6 **A No.**

7 **Q Let's go to that same exhibit. Let's go**
8 **to the last page of the exhibit where it says**
9 **"Proposed cost of the SA Program". Did you ever**
10 **see that?**

11 **A No.**

12 **Q Do you ever recall having a conversation**
13 **with Karen Solt about this consortium proposal**
14 **regarding paying ACE for assisting in the Surgical**
15 **Assisting Program?**

16 **A No.**

17 **Q Do you recall -- and I know this is -- I**
18 **just have to ask the question. If you ask me what**
19 **I was doing in 2013, I couldn't tell you either.**

20 **So in 2013 do you ever -- in November of**
21 **2013, do you ever recall having a conversation with**
22 **Karen Solt about ACE and ACE assisting in putting**
23 **together the Surgical Assistant Program?**

24 **A Yes.**

1 Q What was that conversation?

2 A To the best of my recollection, I had two
3 conversations about this program. One was
4 originally with one of the Bumps. I apologize. I
5 don't know if it was Dan or Keith. It was the
6 original conversation. It was to take place by
7 Skype. Skype wasn't working so we went to then a
8 phone conversation.

9 And at that point I listened and it
10 sounded like a possibility that we could become
11 partners. That is what I remember.

12 Q Okay.

13 A That lasted 40 minutes at the most.

14 Q Okay.

15 A Then that was the first conversation I
16 had with them together. And then my only other
17 involvement, to the best of my recollection, was
18 after Kathy Cabai returned from their -- I don't
19 want to call it a clinic.

20 Q It was a lab.

21 A A lab. Thank you. It was the lab in
22 Denver. When she came back, she wasn't pleased
23 with what she saw.

24 Q Okay.

1 **A And then we had a phone conversation with**
2 **them at that point in time. I could see that this**
3 **was not going well.**

4 Q Okay. Did they describe why?

5 MR. ROCHE: Which conversation?

6 MR. DAVIS: The second conversation.

7 MR. ROCHE: Who is "they"?

8 MR. DAVIS: Karen and Kathy.

9 THE WITNESS: Well, it wasn't Karen. It
10 was actually Kathy because she was the one that
11 went to the lab.

12 BY MR. DAVIS:

13 Q Let me ask a question about that. Would
14 it be typical for Kathy to speak directly with you
15 or would Kathy typically speak to Karen first?

16 **A She would speak to Karen.**

17 Q Had she already spoken to Karen do you
18 know?

19 **A That I don't know.**

20 Q But she went directly to you to talk to
21 you about the -- her dissatisfaction with the lab?

22 **A She went to Karen to speak about her**
23 **dissatisfaction with it and then I said, well, then**
24 **I think if I recall correctly, I said it is time to**

1 **have a phone conversation with them, the Bumps, at**
2 **that point.**

3 Q Okay. Let's fill in some of the gaps. I
4 am going to show you what has been marked as
5 Exhibit C. This is a November 21st email and you
6 are copied on it. It says here in the first
7 sentence that Kathy and -- this is an email from
8 Karen Solt to Keith Bump that you are copied on.
9 And it said that "Kathy and I met with the Dean
10 this morning and he had several questions most of
11 which I think we answered".

12 Do you recall what those questions about
13 this program were?

14 **A I do not.**

15 Q When they talked to you about this, about
16 the program, do you now recall having any
17 information that was contained on Exhibit B about
18 costs and association between ACE and COD?

19 MR. ROCHE: I am going to object to the
20 extent it mischaracterizes this exhibit.

21 I am not necessarily sure that the Dean
22 referred to in this first sentence is actually the
23 witness.

24

1 BY MR. DAVIS:

2 Q Okay. Let's clarify that. So it says,
3 "Kathy and I met with the Dean" and you are copied
4 on this.

5 Do you recall meeting with Kathy and
6 Karen Solt about the ACE program in November of
7 2013?

8 A For a point of clarification, this very
9 first one, Exhibit B, was November 21st and this is
10 November 21st, too?

11 Q Correct. It followed quickly on from the
12 -- so Exhibit B, the email, was sent at 11:26 a.m.

13 A Okay.

14 Q And this was sent at 1:23 p.m. the same
15 day.

16 A Okay. So what could have occurred, I
17 think, this might have been after that original
18 conversation, the Skype conversation, that became a
19 phone conversation.

20 Q Let's just clarify now because in the
21 second sentence it says, "He would like us to
22 arrange a Skype conference call with the three of
23 us, plus our Academic VP and whoever you feel on
24 your side".

1 **A Okay.**

2 Q It appears that this conversation took
3 place before the Skype and after their initial
4 conversation.

5 **A Right.**

6 Q So the issue is -- so the question is
7 that at this point in time you had several
8 questions about -- it says that you had several
9 questions about the program most of which were
10 answered. Do you recall what those questions were?

11 **A I do not.**

12 Q Okay. And then if you will turn to the
13 second page of that exhibit that you are copied on
14 and it says -- this is December 9, 2013. "Good
15 morning, Keith. I think our discussion was a great
16 one and we are at this point ready to move forward
17 on our part". So this refers to the Skype
18 conversation that was held?

19 **A Mmm-hmm.**

20 Q So was the Skype conversation that you
21 had with Keith Bump a great one?

22 MR. ROCHE: I object. I don't think --

23 MR. DAVIS: In your opinion.

24 MR. ROCHE: I don't think the witness

1 testified that there ever was a Skype conversation.

2 BY MR. DAVIS:

3 Q Okay. I will clarify. Was there a
4 conversation that -- so the November 21st email
5 indicated that they were going to setup a
6 conversation. Was a conversation held after that
7 point in time?

8 A Yes.

9 Q And even though she refers to it -- I
10 think she referred to it in the first part as a
11 Skype conference call, but you indicated before
12 that a Skype call didn't occur, correct?

13 A It occurred for a few minutes and then
14 the system broke down so it became a phone
15 conversation.

16 Q So the discussion -- and you are copied
17 on this email. It says, "Our discussion was a
18 great one and we are at this point ready to move
19 forward". Let's focus on why was the conversation
20 that was held a great conversation?

21 A I am not sure. They are not my words.
22 Those are Karen's words.

23 Q How would you characterize the
24 conversation?

1 A Ordinary like any conversation I have.
2 Really. It was ordinary. That is exactly what it
3 was because I remember distinctly. I am not sure
4 which Bump it was. It was Keith I guess.

5 Q It was Keith.

6 A Okay. Keith. At that meeting was Kathy
7 Cabai, Karen Solt and our Vice-President was there,
8 too because without her approval I couldn't bring
9 these programs through anyway.

10 Q Who was the Vice-President?

11 A Jean Kartje.

12 Q What was Jean's responsibility and input
13 into this program?

14 A Just to see if this was a possibility and
15 if she wanted to move forward with it.

16 Q After that conversation was Jean
17 interested in moving forward with this?

18 MR. ROCHE: If you recall.

19 BY MR. DAVIS:

20 Q If you recall.

21 A I think so because if she didn't it
22 wouldn't have gone forward.

23 Q But you don't specifically recall any
24 input that she had or anything like that?

1 **A No.**

2 Q What was her role in this conversation?

3 **A More just as a listener. Because when**
4 **you have partnerships, ultimately she's going to be**
5 **in charge of those things that go to the Board.**

6 Q In the second sentence, it says, "That
7 consists of putting the Curriculum through our
8 College process and then on to the State's approval
9 system". That is the system that you described
10 before, correct? The College level -- I'm sorry.
11 The Division level, the College level, the Board,
12 and then ICCB?

13 **A Correct.**

14 Q And when she says the State's approval
15 system that refers to the ICCB, correct?

16 **A Correct.**

17 Q It says, "I am meeting with Kathy later".
18 That doesn't have anything to do with you. Okay.

19 And this conversation that was had with
20 Keith Bump was there any reference or any mention
21 that you recall about the specific Symposium
22 Agreement that they had sent that was part of
23 Exhibit B?

24 MR. ROCHE: You mean Consortium?

1 BY MR. DAVIS:

2 Q The Consortium Proposal. Was there any
3 mention that was made of that, if you recall?

4 A I do not recall.

5 Q Were there any specific questions about
6 what the cost of the program would be or how ACE
7 would be paid?

8 A Not to the best of my knowledge.

9 Q Let's look at Exhibit D. So this is a
10 December 12th email that refers to -- It is from
11 Karen Solt and you are copied on it. And it
12 discusses actions on our end relative to the
13 classroom management system we may have with the SA
14 Program.

15 And then in the second sentence it refers
16 to Tom Cameron has spoken with VP Jean Kartje and
17 you have heard from Chuck Currier our VP of IT,
18 correct? Do you see that?

19 What was the conversation that you had
20 with Jean Kartje and Chuck Currier?

21 In the third paragraph, it talks about in
22 essence we would want to be able to use the
23 Blackboard for this course.

24 MR. ROCHE: Feel free to read the entire

1 email.

2 MR. DAVIS: Yes.

3 THE WITNESS: I will just read this.

4 Okay. I don't remember this.

5 MR. ROCHE: You recall the conversation
6 you had with Mrs. Kartje?

7 THE WITNESS: Yes. So our learning
8 management system at College of DuPage is
9 Blackboard. It is the only one that we use.
10 Whoever we partner with or whoever teaches at the
11 school for that matter has to be familiar with
12 Blackboard because that is the way we communicate
13 to students all the time.

14 If my recollection is correct, I don't
15 think the Bump brothers were using Blackboard at
16 that time and that was a concern. That is why we
17 brought our specialist in who is Brett Kelp
18 (phonetics).

19 Q Do you know anything about the Blackboard
20 system?

21 A A little bit.

22 Q Is it a difficult system to implement?

23 A For some people it appears to be because
24 I could tell you what I did. I was on the

1 committee at College of DuPage to make sure -- they
2 put me in charge of the program because they knew
3 it would get done.

4 Q You mean the Blackboard program?

5 A Not the Blackboard program, but the part
6 I am going to explain to you.

7 Q Okay.

8 A About four or five years ago, we had what
9 is called a Reset Program. They wanted to change a
10 lot of things that were going on at the school.

11 One of the programs I was chair of was
12 for the Blackboard program. All they asked for was
13 for all faculty, full and part-time, to have their
14 syllabus in Blackboard by the first day of class so
15 students can review what they are getting in for.

16 It seemed like a reasonable request to
17 me. A pretty easy request. Not as easy as you
18 think.

19 We have over 300 full-time faculty and
20 probably over 7, 800 adjunct faculty. They didn't
21 know how to do it.

22 So as a result some people would it in
23 there by the first day. Others were not. Students
24 were getting upset. They don't know what they are

1 in for.

2 If we were all teaching General
3 Psychology, I have six papers. You have two. You
4 have one. A few tests. Students want to sort of
5 shop around to see where they can get the best
6 deal. So when you --

7 Q When was that? When was it implemented?

8 A I think that was about four and a half
9 years ago maybe five.

10 So your question to me was it easy to
11 adjust? The people don't find it easy at all.

12 Q Is it fully implemented now?

13 A Yes.

14 Q Is everybody interacting with it now?

15 A They have to. Different degrees.
16 Different levels of sophistication.

17 Q Are there any other -- I actually was
18 bothered to look at the Blackboard program. It is
19 really is a mind blower.

20 A Yeah, I know.

21 Q I mean, if you have gone to traditional
22 college, it is amazing because it is virtual. The
23 whole thing is virtual. It is has different
24 components to it and all that kind of stuff.

1 Was it difficult because it was --
2 because you were at that time moving more towards
3 online curriculum?

4 **A I don't think so. I think -- this is**
5 **what I have seen. I think it is generational in my**
6 **opinion. People that are of a certain age are**
7 **uncomfortable with technology.**

8 Q Absolutely.

9 **A And they are not equipped to do what they**
10 **need to do in today's market place. As a result**
11 **the people we hire now when they do their teaching**
12 **demonstration they have to use technology.**

13 Q So if you're teaching online is it easier
14 to adapt to the Blackboard program?

15 **A Yeah. Yes.**

16 Q So on the second page of that, it says,
17 from Keith Bump, "We have setup a conference call
18 with Blackboard for Monday the 16th to find out
19 what we need to do on our end". You didn't have
20 anything to do with any follow-up that had to do
21 with Blackboard?

22 **A No.**

23 Q So was the extent of your interaction
24 here in regard to the Blackboard issue in relation

1 to ACE -- was it to basically put ACE in touch with
2 Jean and Chuck and let them work it out?

3 **A And Brett Kelp.**

4 Q And Brett Kelp. Did you ever get any
5 feedback as to whether they actually worked it out?

6 **A To the best of my recollection, I didn't**
7 **get feedback.**

8 Q Okay. Was that one of the reasons why
9 Karen Cabai didn't like the lab because of the --

10 MR. ROCHE: Kathy.

11 BY MR. DAVIS:

12 Q Kathy. I'm sorry. Kathy Cabai. Was
13 because they didn't have Blackboard?

14 **A I am not certain of that.**

15 Q Okay. That is fine. Let's look at
16 Exhibit F. And I want to sort of get a sense for
17 where this new program is in relation to the
18 process now. Okay.

19 So at this point in time, Karen and Kathy
20 have discussed this program with you and they have
21 decided to -- according to the email -- to move
22 forward with it, correct? The former email.

23 **A You mean originally when we had the**
24 **conversations?**

1 Q Yes. In the email it said -- this is
2 Exhibit C and it says, "And we are at this point
3 ready to move forward on our part". Okay. And
4 that is a December 9th email. So what I want to do
5 is I want to relate this to the process that you
6 described before.

7 So after this December 9th email,
8 describe to me the activity that would have taken
9 place to implement this new program.

10 **A That is what I described before. If they**
11 **were going to implement the new program, that means**
12 **they would then start developing it. The DCC. The**
13 **CCC. Then fill out all the paperwork that will**
14 **eventually be submitted to the ICCB but has to go**
15 **to the Board first for approval and then to ICCB**
16 **and then it could be implemented.**

17 Q Okay. Let's go to this Exhibit F and
18 this is from Kathy Cabai to Keith Bump. So in the
19 third sentence, she says, "I went to Division
20 Curriculum Committee last week Thursday". So that
21 would have been the first step in the process,
22 correct?

23 **A Correct.**

24 Q And then she says, "It was raked over the

1 coals". She says, "I will go to Collegewide
2 Curriculum the first Friday in March". Do you see
3 that?

4 **A Mmm-hmm.**

5 Q It is the next sentence. "It will pass
6 there which means the board meeting in April or
7 May. Word is already out we are offering it".

8 So could you describe to me how word
9 could have already gotten out that they were
10 offering it?

11 MR. ROCHE: If you know.

12 MR. DAVIS: If you know.

13 THE WITNESS: I don't know for sure.

14 MR. ROCHE: If you don't know, you don't
15 know, Mr. Cameron.

16 THE WITNESS: I don't know.

17 BY MR. DAVIS:

18 Q You don't know.

19 And it indicates that it is slated to
20 begin January of 2015. So in regard to this
21 process -- and this email is written February of
22 2014. So is this in conjunction with like a
23 budgetary process, the timing of this?

24 **A No.**

1 Q It's not. Don't they have to submit
2 something for the Budget about this time, if they
3 are going to offer the course in January of 2015?

4 A **No. Because what you send down to ICCB**
5 **is projections of how many students are going to be**
6 **enrolled in the program and what it might cost.**

7 Q Let's look at this. This is Exhibit F1.
8 So this is an email from Kathy Cabai dated February
9 27th. It says, "Can you folks call Karen and/or
10 Tom to discuss the final amount of money that COD
11 will be charged per student with me teaching the
12 Suture Lab?"

13 Did they call you to discuss the final
14 amount of money that COD will be charged per
15 student with Kathy Cabai teaching the Suture Lab?

16 A **No.**

17 Q And in Number 6 down at the bottom, it
18 says -- and this is February 27th -- "We are
19 currently working on next year's Budget and they
20 are due quickly. I would need any potential Budget
21 items".

22 So would this be in conjunction with the
23 submission of a Budget that would typically go on
24 at this time of the year?

1 **A** It could be. If you notice the date on
2 here, that is usually when we do Budgets in
3 February. But this is not Capital the money they
4 are talking about here. That would be a little bit
5 later like we talked about. So April or May.

6 **Q** I am going to show you what has been
7 marked as Exhibit K. This is the Consortium
8 Agreement dated May 5, 2013. Do you see this? Do
9 you see that?

10 **A** Right in front of me I see it, yes.

11 MR. ROCHE: Did you say it was dated May
12 5, 2014?

13 MR. DAVIS: 2013.

14 MR. ROCHE: Right. Okay.

15 BY MR. DAVIS:

16 **Q** Did you ever see this before?

17 **A** I don't recall seeing this.

18 MR. DAVIS: Okay. And prior to this
19 point in time -- Just for clarification, Mike, I
20 think that May 5, 2013 is the wrong date. I think
21 it is 2014.

22 MR. ROCHE: All right. Okay.

23 BY MR. DAVIS:

24 **Q** That is what it says but -- I am going to

1 show you the Nondisclosure Agreement. I'm sorry.
2 Let's go back to Exhibit K. So Exhibit K in
3 Paragraph 3 -- it is actually Page 4 in Paragraph
4 B. That would be 3-B but it is right at the top of
5 Page 4. It says, "College will pay to ACE the
6 amount of \$3,680 immediately upon receiving tuition
7 funds for enrolling a new student". Do you see
8 that?

9 **A Yes.**

10 Q First question. Is the 3680 that they
11 would have paid is it part of a Capital Budget
12 item?

13 **A No.**

14 Q It's not?

15 **A No.**

16 Q What would that be?

17 **A That would be -- that would be Operating**
18 **because Capital --**

19 Q I'm sorry. Operating. I meant to say
20 Operating. Okay.

21 And then were you -- were they discussing
22 with -- do you recall any discussions at this time
23 that went on with ACE about how much they were
24 going to be paid?

1 **A I do not.**

2 Q Would that have been an appropriate
3 discussion for them to have with you?

4 MR. ROCHE: Who is "them"?

5 BY MR. DAVIS:

6 Q Karen or Kathy.

7 **A Not particularly. Remember I said that**
8 **the faculty member -- their immediate supervisor is**
9 **Karen. This is not necessarily a great sum of**
10 **money where it would cause real concern.**

11 Q 3680 per student?

12 **A Yeah. I don't know if that is -- I mean,**
13 **in the overall scope of things it wouldn't be. But**
14 **they didn't discuss this with me, no.**

15 Q And would it have been appropriate for
16 them to discuss it with you?

17 **A It could be, but it's not inappropriate**
18 **if they didn't.**

19 Q Is it something they would just put in
20 their Budget?

21 **A Yes.**

22 Q My sense about how you operate in
23 relation to the Budget, you're almost a pass
24 through between the Associate Deans and the Board;

1 is that correct?

2 **A** Well, I can tell you under this -- when
3 this program came in, what my President said to me,
4 he wants me to take a 30,000 foot view of things,
5 not to get down in the weeds. That is exactly what
6 he told me.

7 **Q** I am going to show you what has been
8 marked as Exhibit L. So do you ever recall seeing
9 this document?

10 **A** I do not.

11 **Q** And would it have been appropriate for
12 you to have seen this document -- for you to have
13 some responsibility to review a document like this?

14 **A** Not particularly. Who reviews these
15 documents are -- was our Vice-President of -- I
16 think with Finances. His name was Tom Glaser. He
17 reviews all of those.

18 **Q** If you would have gotten a document like
19 that, you would automatically pass it on to him?

20 **A** Right.

21 **Q** After the initial Blackboard discussions,
22 you didn't have any further discussions with them
23 about Blackboard? I'm sorry. You didn't have any
24 further discussions with Karen and Kathy about

1 issues with Blackboard with ACE?

2 A I don't recall.

3 Q Would that have been typically something
4 that you would have had discussion with them about
5 problems with Blackboard?

6 A What I do remember is -- remember I
7 started out by saying I only had two conversations
8 with them. The second conversation was after Kathy
9 got back from the lab. She was not pleased at all.
10 Then we had a phone conversation at that time. At
11 that time I could see this was not progressing in a
12 qualitative way that we are accustomed to.

13 At that point in time we decided we're
14 not going to move forward with this program.

15 MR. ROCHE: Mr. Cameron, you have to
16 answer the question that is put before you. You
17 were asked about Blackboard and your answer was
18 non-responsive. So just on a going forward basis,
19 just please try and answer the question that is put
20 before you.

21 THE WITNESS: Okay.

22 BY MR. DAVIS:

23 Q Exhibit O. This is a Tuesday, July 8th
24 email and this refers to -- at the bottom, Kathy

1 Cabai wrote, "I did talk to Tom and he is not
2 comfortable signing anything without having legal
3 approve nor with Karen out-of-town". Do you see
4 that?

5 **A I do see that.**

6 Q So this refers to the Consortium
7 Agreement that was not signed. Do you recall at
8 this point in time talking to Kathy about the
9 Consortium Agreement?

10 **A I don't recall this particular item.**

11 Q About the Consortium Agreement?

12 **A Correct.**

13 Q Would you have been the one to sign the
14 Consortium Agreement?

15 **A I think when she talks about Tom, I am**
16 **not sure she's talking about Tom Cameron. She**
17 **might be talking about Tom Glaser. The one that**
18 **signs these.**

19 Q Who is Tom Glaser?

20 **A He was the Vice-President I think of**
21 **Finance.**

22 Q Okay.

23 **A He was the one that looks at all these**
24 **things.**

1 MR. DAVIS: Okay. I am going to show you
2 what we're going to mark as Exhibit U.

3 (Exhibit U was marked.)

4 BY MR. DAVIS:

5 Q You're copied on this email. And it
6 says, first sentence, it says, "Thank you again for
7 meeting with us via conference call to discuss the
8 concerns expressed in our email to you regarding
9 the proposed Surgical Assisting Program".

10 Then it says, "Following our conference
11 call, Tom, Kathy and I had a further conversation".

12 Were you on the initial conference call
13 about their concerns that they had? This was the
14 conference call with Keith and Dan about their
15 concerns.

16 **A Are you referring to the original Skype?**

17 Q No.

18 **A No, then I was not on this call.**

19 Q And it says, "Tom, Kathy and I had a
20 further conversation. I wanted to let you know the
21 outcome of that conversation".

22 So after that is this the conversation
23 that you had with Kathy and Karen about whether the
24 program was going to move forward or not?

1 **A Yes.**

2 **Q It indicates in the second paragraph**
3 **concerns were lack of preparation. Do you recall**
4 **discussing that?**

5 **A With Kathy.**

6 **Q And what did she say?**

7 **A When she returned from the lab in Denver,**
8 **she was not pleased with what she saw and was sort**
9 **of vehement when she came back in telling us that.**

10 **Q Okay. Did she say exactly why she wasn't**
11 **happy with what she saw?**

12 **A If I recall, she knew more than the**
13 **presenters in her estimation.**

14 **Q I'm sorry. Say that again.**

15 **A She knew more than the presenters in her**
16 **estimation.**

17 **Q Okay.**

18 **A They were talking about sutures. She**
19 **knows sutures like the back of her hand. She's**
20 **been an OR nurse for numerous, numerous, numerous**
21 **years. She indicated to me that the other**
22 **participants came to her for knowledge.**

23 **Q Okay.**

24 **A And I vividly recall when they were**

1 asking questions of the presenters that they didn't
2 answer the questions and she was not pleased with
3 that at all. That's not the way she wants to run
4 her program. So her overall experience was not
5 very good there at all.

6 Q And then in the second paragraph, "We
7 feel very strongly all offerings at the College
8 will have the same quality and rigor no matter the
9 delivery format". Do you see that?

10 A I do.

11 Q Did they discuss anything about the
12 delivery format?

13 A They did in that one.

14 MR. ROCHE: Who is "they"?

15 MR. DAVIS: Karen and Kathy. I am
16 referring to the conversation that --

17 MR. ROCHE: Tom had with Karen --

18 MR. DAVIS: Tom had with Karen and Kathy.

19 MR. ROCHE: Okay.

20 THE WITNESS: They did. As a matter of
21 fact, I think the words that they used was we have
22 numerous programs that are on online. Blackboard.
23 That is the system we use.

24 Their program, according to Kathy, was

1 nothing more than correspondence. That's not what
2 we wanted to get into at all.

3 BY MR. DAVIS:

4 Q Okay. Next sentence it says, "It would
5 take at the very a full semester for Dan or anyone
6 new to online teaching to have sufficient
7 preparation for this delivery mode". Did they
8 discuss that?

9 A I think we did because remember I told
10 you that I thought it was generational. Although
11 not now. I don't know anything about their
12 program. But people who teach online for us now
13 often have to go through ION, which is I think
14 online teaching from Illinois. They have to get a
15 certificate to teach it. Because it's not just
16 responding to a student, you have to know how to
17 teach online. They didn't have any of that so she
18 thought it would have been unsuccessful for sure.

19 Q And then the final issue that they
20 brought up would be the other issue of a
21 contemporary curriculum in this discipline is also
22 something that we would take a fair amount of time
23 to revise and then prepare. Do you recall that?
24 Do you recall them talking about that?

1 **A I do not recall that.**

2 MR. DAVIS: Okay. Let's look at Exhibit
3 V.

4 (Exhibit V was marked.)

5 BY MR. DAVIS:

6 Q This is a memo dated October 1, 2014,
7 that has what appears to be the heading
8 "Justification for revision of Surgical Assisting
9 and Courses 2501 and 2503". "This letter is to
10 inform you that College of DuPage has decided not
11 to offer the Surgical Assisting Program in
12 conjunction with ACE because they are not
13 accredited through the Commission on Allied Health
14 Education Programs". Do you see that?

15 **A Yes.**

16 Q Did they ever discuss the fact that they
17 couldn't offer the Surgical Assisting Program in
18 conjunction with ACE because they weren't
19 accredited through the Commission on Allied Health
20 Education Program?

21 MR. ROCHE: Are you referring, Mike, to
22 the conversation Mr. Cameron --

23 BY MR. DAVIS:

24 Q This is written by Kathy Cabai but -- so

1 let's just stick with Kathy Cabai. Did she ever
2 discuss with you the fact that ACE -- that they
3 couldn't offer it in conjunction with ACE because
4 they weren't accredited through the Commission on
5 Allied Health Education Program?

6 **A Not with me, but she probably did with**
7 **Karen Solt.**

8 Q Why would she have talked to Karen Solt
9 instead of you?

10 **A Because that is her immediate supervisor.**

11 Q And then in the second paragraph, it
12 begins with, "That being said, initial
13 accreditation has been received. Upon receipt of
14 initial accreditation, the program receives CAHEB
15 standards, guidelines and core curriculum". Do you
16 see that?

17 **A Yes.**

18 Q Would that have had anything -- would
19 either Kathy or Karen had any conversations with
20 you about the initial accreditation with CAHEB?

21 **A No. But when they give us initial**
22 **accreditations or accreditations, they do copy me**
23 **on that stuff. Meaning the accrediting agency,**
24 **CAHEB.**

1 Q Do you recall getting that?

2 A **I think I did get that, yes.**

3 MR. DAVIS: Let's look at Exhibit W.

4 (Exhibit W was marked.)

5 BY MR. DAVIS:

6 Q So let's go back to Exhibit V for a
7 second. Within the COD framework, did you have any
8 conversation with them about why they changed the
9 reason for not moving forward with ACE from not
10 being prepared to not being accredited?

11 A **No.**

12 Q Would not being accredited be more
13 acceptable to the College rather than not being
14 prepared?

15 A **No. No.**

16 Q So the fact that -- would the fact that
17 ACE wasn't accredited by CAHEB would that have been
18 a problem with the College?

19 MR. ROCHE: Objection. What do you mean
20 by problem? I don't understand the question.

21 BY MR. DAVIS:

22 Q Would it have kept the program from
23 moving forward, if they weren't accredited?

24 A **If they weren't accredited, yes, because**

1 we don't want to be involved without programs being
2 accredited. We don't have any health programs that
3 are not accredited. If they have an accrediting
4 agency I should say.

5 Q Right. Okay. Let's look like at Exhibit
6 W. So this is the Request for Accreditation
7 Services Application dated October 22, 2014. Do
8 you recall seeing this?

9 A I do not.

10 Q Would this have been typically something
11 you would have received?

12 A No.

13 Q So the only thing you would have received
14 would have been the actual accreditation?

15 A Mmm-hmm. Initial accreditation.

16 Q So is it unusual that on September 9th
17 they are telling ACE they don't want to move
18 forward with them and less than a month later they
19 are asking accreditation for their own program?

20 A I'm sorry. Repeat that.

21 Q Is it unusual that on September 9th they
22 indicate to ACE that they are not going to work
23 with them and that less than a month later they are
24 now asking for accreditation on their own?

1 **A I wouldn't say it was unusual.**

2 Q Is it a little quick?

3 **A Not necessarily because she's fast**
4 **moving.**

5 Q Who?

6 **A Kathy Cabai.**

7 MR. DAVIS: No further questions.

8 MR. ROCHE: Okay. Can we take a five
9 minute break to go over my notes?

10 MR. DAVIS: Okay.

11 (Whereupon, there was a brief
12 recess in the deposition.)

13 EXAMINATION

14 BY MR. ROCHE:

15 Q I just have a few followup questions
16 about the December Skype conference. It's been
17 referred to during Mr. Cameron's deposition.

18 Mr. Cameron, do you recall being asked a
19 series of questions about the Skype conference,
20 which I believe you testified was the first
21 conversation you had between members of the College
22 and also an individual with ACE? Do you recall
23 that testimony?

24 **A I remember the conversation with Skype,**

1 **yes.**

2 Q During that conversation, Mr. Cameron,
3 was there any discussion about the terms of the
4 Consortium Agreement that had been provided to you
5 as an exhibit during your deposition?

6 **A No.**

7 MR. ROCHE: I have nothing further.

8 THE REPORTER: Signature?

9 MR. ROCHE: Reserved.

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12 (FURTHER DEPONENT SAITH NOT.)
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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AMERICAN CENTER FOR)	
EXCELLENCE IN SURGICAL)	
ASSISTING, INC.,)	
)	
Plaintiff,)	Case No.
)	1:15-CV-07290
-vs-)	
)	
COMMUNITY COLLEGE DISTRICT)	
502, et al.,)	
)	
Defendants.)	

This is to certify that I have read the transcript of my deposition taken in the above-entitled cause, consisting of Pages 1 through 66, inclusive, and that the foregoing transcript accurately states the questions asked and the answers given by me as they now appear.

Please check one:

I have submitted errata sheets

No corrections were noted.

THOMAS CAMERON

SUBSCRIBED AND SWORN TO
before me this day
of , 20 .

NOTARY PUBLIC

STATE OF ILLINOIS)
) SS.
COUNTY OF DU PAGE)

I, DEBORAH TYRRELL, CSR, a notary public within and for the County of DuPage and State of Illinois, do hereby certify that THOMAS CAMERON was by me first duly sworn to testify to the truth, the whole truth and nothing but the truth, and that the above deposition was recorded stenographically by me, in the presence of said witness, and afterwards reduced to typewriting under my personal direction.

I further certify that the said foregoing transcript of the said deposition is a true, correct and complete transcript of the testimony so given by said witness at the time and place specified as aforesaid.

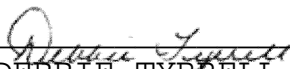
I further certify that the signature of
the witness to the forgoing deposition was
reserved.

I further certify that the taking of this deposition was in pursuance of notice and agreement; and that there were present at the taking of this deposition the appearances as heretofore noted.

I further certify that I am not a

1 relative or employee or attorney or counsel of any
2 of the parties hereto, nor a relative or employee
3 of such attorney or counsel; nor do I have any
4 interest directly or indirectly in the outcome or
5 events of this action.

6 In witness whereof, I have hereunto set
7 my hand and affixed my notarial seal this 7th day
8 of June, 2017.

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